

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CEASAR R. BANKS,

Plaintiff,

v.

CAPTAIN KARTMAN,
LIEUTENANT R. SKIME,
K. SOLOMON, CAPTAIN HASELBERG
and JANE DOE,

Defendants.

ORDER

09-cv-98-bbc

Plaintiff Cesar R. Banks is proceeding on his Fourteenth Amendment procedural due process and equal protection claims against defendants. Now before the court is plaintiff's motion to compel to "produce for the courts viewing, copying and inspection the recorded tape or disc of the fight that took place on November 16th 2008. . ." Defendants have responded to the motion.

Plaintiff's motion to compel is premature. After defendants answer plaintiff's complaint, I will hold a preliminary pretrial conference at which time I will explain the discovery procedures to plaintiff, including requests for production of documents under Fed. R. Civ. P. 34. A request under this rule must be filed before plaintiff may move to compel production of the item requested. Accordingly, plaintiff's motion to compel is DENIED because it is premature.

Entered this 19th day of May, 2009.

BY THE COURT:



STEPHEN L. CROCKER
Magistrate Judge

Copy of this document has been
provided to PIH
this 19th day of May, 2009
by C. A. Korth
C. A. Korth, Secretary to
Magistrate Judge Crocker